

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOSE SANCHEZ, ISMAEL RAMOS  
CONTRERAS, and ERNEST GRIMES, on  
behalf of themselves and all others  
similarly situated,

Plaintiffs,

v.

UNITED STATES OFFICE OF BORDER  
PATROL, UNITED STATES CUSTOMS  
& BORDER PROTECTION,  
DEPARTMENT OF HOMELAND  
SECURITY; JOHN C. BATES, Chief  
Patrol Agent, Blaine Sector of the United  
States Border Patrol, in his official  
capacity; JANET NAPOLITANO,  
Secretary, Department of Homeland  
Security, in her official capacity; DAVID  
AGUILAR, Acting Commissioner, United  
States Customs & Border Protection, in his  
official capacity; MICHAEL J. FISHER,  
Chief of the United States Border Patrol, in  
his official capacity; and JAY CUMBOW,  
Agent in Charge for the Port Angeles  
Office of the Olympic Peninsula of the  
United States Border Patrol, in his official  
capacity,

Defendants.

No. 12-cv-05378-BHS

STIPULATION AND  
ORDER REGARDING DEADLINE TO  
FILE MOTION FOR CLASS  
CERTIFICATION

NOTED ON MOTIONS CALENDAR:  
January 4, 2013

STIPULATION AND [PROPOSED] AMENDED  
SCHEDULING ORDER  
(NO. 12-CV-05378-BHS) – 1

82900-0001/1.FGA1.25504852.1

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**STIPULATION**

The deadline for Plaintiffs to file a motion for class certification currently is January 18, 2013. *See* Dkt. #37. The parties are actively engaged in discovery relating to class certification issues (and other matters), but the parties now recognize that an insufficient amount of that discovery can be completed in time for orderly presentation of a motion for class certification within the current deadline despite the parties' reasonably diligent efforts, in part due to the need to resolve confidentiality issues and Defendants production of documents requested by Plaintiffs. The parties, therefore, agree and stipulate that the deadline for Plaintiffs' filing of a motion for class certification be extended six weeks, making said deadline March 1, 2013.

Under Fed. R. Civ. P. 6(b), the Court may extend a deadline for "good cause." The same applies to the deadline for filing a motion for class certification in Local Rule 23(i)(3). Here, the parties stipulate and respectfully request that there is good cause under Fed. R. Civ. P. 6(b) and Local Rule 23(i)(3) for the Court to issue the attached proposed Amended Scheduling Order.

DATED: January 4, 2013

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STIPULATION AND [PROPOSED] ORDER  
(NO. 12-CV-05378-BHS) – 2

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STIPULATION AND [PROPOSED] ORDER  
(NO. 12-CV-05378-BHS) – 3

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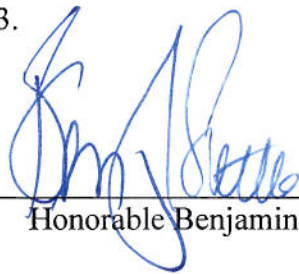
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**ORDER**

The Court, having considered the proposed amended scheduling order submitted in this action, and good cause appearing therefore,

**IT IS HEREBY ORDERED**, that the deadline for filing class certification motion is extended from January 18, 2013 to March 1, 2013. All other dates on the case schedule remain unchanged.

**DATED** this 7 day of January, 2013.



Honorable Benjamin H. Settle